



**DIAMOND MCCARTHY LLP**  
Attorneys & Counselors

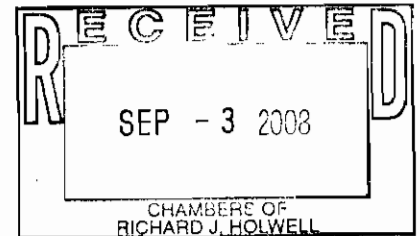
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September 3, 2008

Via Facsimile @ 212.805.7948

Honorable Richard J. Holwell  
United States District Court  
Southern District of New York  
500 Pearl Street  
New York, NY 10007



Re: D.B. Zwirn Special Opportunities Fund,  
L.P. v. SCC Acquisitions, Inc.,  
08 Civ. 5438 (RJH)

Dear Judge Holwell:

Counsel for the parties to the above-referenced action jointly write to respectfully request a one week adjournment of the initial pre-trial conference currently scheduled for September 12, 2008, at 10:30 a.m.

The parties are in the process of investigating the bona fides of the basis for diversity jurisdiction. Based on the information uncovered to date, it appears that there may not be jurisdiction for the matter in federal court and that the parties may jointly stipulate to a remand. However, the parties' investigation has not yet been concluded and we require additional time to resolve the issue.

Accordingly, we respectfully request a one week adjournment of the conference from September 12, 2008 to September 19, 2008, or to another date that is convenient for the Court.

*Conference adjourned to 9/19/08 at 10:30 a.m.*

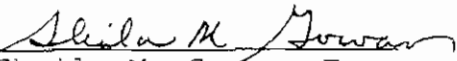
*SO ORDERED*

*Q. J. [Signature]*  
*USDC SDNY*

We thank the Court of its consideration of our request.

Respectfully submitted

Diamond McCarthy LLP  
Counsel for Defendant  
SCC Acquisitions, Inc.

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